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PATENT MAINTENANCE
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application

2006 AUG 14 PM 3:55

DAVID NIGEL ARMSTRONG

US PATENT & TRADEMARK
OFFICE Examiner:

Application Number: 10/525,208

Group Art Unit: 1614

Filed: February 22, 2005

Confirmation No.: 5529

For: A PHARMACEUTICAL COMPOSITION

Attorney Docket No.: ARMS3001

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for a refund in the amount of \$1,050.00 which was debited from Deposit Account No. 02-0200 on March 28, 2006 under Fee Code/Description 1615 (Claims extra total (PCT)).

Upon review of the file, we note that the claim calculation of the Patent Office was incorrect in that it was based on the claims presented in the specification as filed (the PCT publication), when the claim calculation should have been based on the claims as presented in the Preliminary Amendment filed concurrently therewith. The extra claims fee was submitted upon filing, as evidenced by the attached copies, in accordance with the claim totals of the Preliminary Amendment.

The Patent Office is requested to credit the debited amount of \$1,050.00 to Deposit Account No. 02-0200 and acknowledge receipt of this paper in the next official communication.

Respectfully submitted,
BACON & THOMAS, PLLC

By:


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Date: August 11, 2006



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U.S. National Phase of
PCT/GB2003/003692

PCT Filed 22 August 2003

PATENT APPLICATION
(PENDING) *REN*
Foreign Filing Y or (NO)
Attorney: Eric Spector

Applicant(s): David Nigel ARMSTRONG

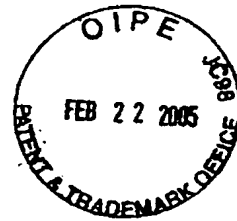
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ARM 53001

Special Instructions:

The PTO stamp hereon acknowledges receipt of:

- ☒ Application Data Sheet
- ☒ Preliminary Amendment
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- ☒ WO 2004/017962 A2 and A3
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- ☒ Citations D1, D2, D3, D4



Filed By: ERIC SPECTOR

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U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

B/O Form PTO-1390		Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371		Attorney's Docket Number NIGES001	
International Application Number PCT/GB2003/003692		International Filing Date 22 August 2003		U.S. Application Number (if known) Priority Date Claimed 26 August 2002	
Title of Invention A PHARMACEUTICAL COMPOSITION					
Applicant(s) for DO/EO/US David Nigel ARMSTRONG					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:					
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 USC 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 USC 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> The U.S. has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed 35 USC 371(c)(2). <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 USC 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 USC 371(c)(4)). (<input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted) 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)). <p>Items 11 to 16 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and U.S.C. 1.821 - 1.825. 18. <input checked="" type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4) 20. <input checked="" type="checkbox"/> Other items or information: WO 2004/017962A3, IPER, Citations D1, D2, D3, D4 					